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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,296	08/02/2001	Kelvin T. Leung	HRL069	5643
7590 10/20/2005			EXAMINER	
Cary Tope-McKay 23852 Pacific Coast Highway #311 Malibu, CA . 90265			PEACHES, RANDY	
			ART UNIT	PAPER NUMBER
			2686	
DATE MAILED: 10/20/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No. 09/921,296	Applicant(s) LEUNG ET AL.	
	Examiner Randy Peaches	Art Unit 2686	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 08 August 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

*Marsha D. Banks-Harold*  
**MARSHA D. BANKS-HAROLD**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

Continuation of 11. does NOT place the application in condition for allowance because: Based on the particular arguments set forth by the Applicant, the Examiner respectfully would like to bring to the Applicant's attention in the cited Owensby patent wherein it is taught in column 13 lines 3-16 where the said MSC(18) acquires communication between the said mobile terminal, which includes a call signal. In column 15 lines 43-63, Owensby clarifies that the call signal contains information that is pertinent to the registration of the said mobile terminal. Additionally, wireless communication data does contain, according to column 15 lines 54-59, sponsor information. In conclusion, the Examiner maintains that the data received by the said MSC (18) is information used to register and further parse to the said Call Management (20) system for further processing.

The Applicant also maintains that Owensby fails to clearly disclose wherein a client subsequently requests a service from a directory service polling subelement, which send a lookup query to the directory service which, in turn provides services matching those requested by the client, to a candidate service filtering subelement, where candidate services are isolated, and are submitted to a target service filtering subelement. The Examiner maintains wherein the said ACD (24) is a "sub" element of the said Call Management System (20). See FIGURE 2. Additionally the said ACD (24) is a repository for the messages sent/requested by a subscriber; therefore, the said ACD (24) is polled for information. See column 6 lines 52-68. The said ACD (24) further sends a lookup query, (wherein a look-up query is the set of results (messages) being sent to the said subscriber via the said Call Management System (20)), to the said Call Management System (20) which, in turn provides services matching those requested by the said wireless terminal (12), to a Ad Chooser Server (22) which in turn contains a Candidate Discriminator Module (21), which reads on claimed "candidate service filtering sub-element", where candidate services are isolated, and are submitted to a Ad Target Data (25), which reads on claimed "target service filtering sub-element". The Examiner would like to further explain his position in regards to the said wireless terminal being able to request a message. As disclosed in column 6 lines 1-23, the said subscriber, subsequently requests services from the said system.

Additionally, the Applicant argues a "directory service-polling sub-element, which sends a lookup query to the directory service." The Examiner would like to respectfully clarify the position of the interpretation of the claimed language. Owensby discloses in column 6 lines 52-68, wherein the said ACD (24) is a "sub" element of the said Call Management System (20). See FIGURE 2. The said ACD (24) is a repository for the messages sent/requested by a subscriber; therefore, the said ACD (24) is polled for information. The said ACD (24) further sends a lookup query, (wherein a look-up query is the set of results (messages) being sent to the said subscriber via the said Call Management System (20)), in turn provides services matching those requested by the said wireless terminal (12).

Regarding the Applicants further arguments in respect toward a target service filtering subelement; where target services are isolated and provided to the client and a directory service update decision subelement provides an updated service entry to the directory service. The Examiner maintains the previous rejection in that the said ACD (24) further sends a lookup query, (wherein a look-up query is the set of results (messages) being sent to the said subscriber via the said Call Management System (20)), to the said Call Management System (20) which, in turn provides services matching those requested by the said wireless terminal (12), to a Ad Chooser Server (22) which in turn contains a Candidate Discriminator Module (21), which reads on claimed "candidate service filtering sub-element", where candidate services are isolated, and are submitted to a Ad Target Data (25), which reads on claimed "target service filtering sub-element". The Examiner would like to further explain his position in regards to the said wireless terminal being able to request a message. As disclosed in column 6 lines 1-23, the said subscriber, subsequently requests services from the said system.